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April 8, 2008

**Via Facsimile: 914.390.4085**

Honorable Charles L. Briant  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150

**Re: Battaglia v. Lowe's**  
**Civil Action No. 07 Civ. 6501 (CLB)**

**MEMO ENCLOSED**  
*This case is dismissed,  
without prejudice, with leave  
to re-open within ninety (90) days  
to enforce the terms of the settlement  
agreement. to Erickson*  
*April 10, 2008*  
*Charles L. Briant*  
*USDC*

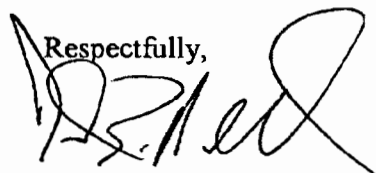
Dear Judge Briant:

We represent the Plaintiff in the above-referenced matter.

The parties wish to inform the Court that they have reached a settlement, subject to the execution of a mutually acceptable written settlement agreement. The parties will file a Stipulation of Dismissal once the settlement has been consummated.

Therefore, we respectfully request that the conference scheduled for April 11, 2008 at 9:30 a.m., be adjourned without a new date.

Respectfully,



David S. Halsband

cc. Helen Tuttle, Esq. (via facsimile: 973.360.9831)  
Counsel for Defendant